

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF PENNSYLVANIA**

FEDERAL TRADE COMMISSION,

Plaintiff,

v.

EMPIRE HOLDINGS GROUP LLC, also d/b/a
ECOMMERCE EMPIRE BUILDERS and
STOREFUNNELS.NET, a limited liability
company, and

PETER PRUSINOWSKI, aka PETER PRU,
individually and as an officer of Empire Holdings
Group LLC,

Defendants.

Case No. 24-CV-4949

**EXHIBITS TO PLAINTIFF'S MEMORANDUM IN SUPPORT OF ITS
EMERGENCY NOTICED MOTION FOR A TEMPORARY RESTRAINING ORDER
WITH AN ASSET FREEZE AND OTHER EQUITABLE RELIEF AND FOR AN ORDER
TO SHOW CAUSE WHY A PRELIMINARY INJUNCTION SHOULD NOT ISSUE**

TABLE OF EXHIBITS

Notes on exhibits: The FTC submits nine exhibits and accompanying attachments in support of this Motion. All exhibits cited in the Memorandum are referenced as “PX [exhibit number].”

References to declarations include bates number and paragraph number. References to attachments include citations to bates number and paragraph number where applicable. All video captures referenced in these exhibits will be produced upon request. The 697 pages of exhibits are consecutively numbered.

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DECLARATION OF MARK A. JOYNER

PURSUANT To 28 U.S.C. § 1746

I, Mark A. Joyner, hereby state that I have personal knowledge of the facts set forth below. If called as a witness, I could and would testify competently as follows:

1. I am a United States citizen over the age of 18 years old. I am employed as an Investigator with the Federal Trade Commission's ("FTC") Division of Marketing Practices. My work address is FTC Headquarters, 600 Pennsylvania Ave NW, Washington, DC 20580.
2. As an FTC Investigator, my duties include monitoring and investigating parties who are suspected of engaging in unfair or deceptive acts or practices in or affecting commerce in violation of statutes and rules enforced by the FTC.
3. In the course of my duties, I gather information and review documents, financial records, and other evidence in connection with FTC undercover investigations. In addition, I have posed as a consumer, and I have been authorized to record telephonic conversations with parties suspected of violating the FTC Act and the rules enforced by the FTC. All video captures referenced in this declaration will be provided to the Court upon request.
4. In the course of my duties, I was assigned to the investigation of Ecommerce Empire Builders ("EEB"), and Peter Prusinowski ("Defendants").
5. During the course of this investigation, I reviewed public records regarding the "Defendants" business activities and documents received in response to Civil Investigative Demands ("CIDs").

DEFENDANTS

6. Empire Holdings Group is a Wyoming corporation formed on April 26, 2018. Peter Prusinowski is the sole officer. The main business address is 2370 York Rd Jamison, PA 18929. **Attachment A** is a true and correct copy of the relevant corporate filings.

Undercover Telephone Calls

7. During the course of this investigation, I conducted undercover (“UC”) telephone calls to representatives of EEB on April 16, 2024, and April 24, 2024.
8. During the telephone calls with EEB, I posed as a consumer with a fictitious identity and recorded my telephone conversations. Representatives of EEB sent a text message and emailed my undercover phone number and email address. I recorded the conversations using an Olympus Digital Voice Recorder. After the recordings, I played back the recordings to confirm that the conversations had been recorded properly and were true and correct. I copied the audio recordings from the recorder to the FTC’s network via email. Below is a list of recorded calls, text messages, and emails I received in connection with the undercover calls.

DATE	Contact Method	Company Name	Description
4/15/24 9:51 AM	Email from derek@ecommerceempirebuilder.com	Ecommerce Empire Builders	Invitation to join Derek Wilson from Ecommerce Empire Builders for a strategy session
4/15/24 9:52 AM	Text Message from 208-997-4274	Ecommerce Empire Builders	Text confirming call would be made to my UC phone

			number [REDACTED]- [REDACTED]
4/16/24 11:30 AM	Phone call with Derek from Ecommerce Empire Builders	Ecommerce Empire Builders	Phone call from 208-997- 4274
4/23/24 12:23 PM	Email from derek@ecommerceempirebuilder.com	Ecommerce Empire Builders	Strategy call session email
4/24/24	Phone call with Derek from Ecommerce Empire Builders	Ecommerce Empire Builders	Phone call from 208-997- 4274

Summary of the Undercover Call April 16, 2024

9. After viewing an EEB online advertisement, I requested a meeting with EEB via an online request. On April 15, 2024, I received an email in my UC email account from (derek@ecommerceempirebuilders.com) confirming a phone meeting on April 16, 2024. A true and correct copy of this email is attached hereto as **Attachment B**. On April 16, 2024, at approximately 11:30 AM, I received a call from 208-997-4274. The caller identified himself as Derek from Peter Pru’s office. I recorded the call. **Attachment C** is a transcript of the recording. Below is a screenshot of the on-line request.



10. At the beginning of the call, Derek explained the call was being recorded as per company policy. During the call Derek requested information regarding my background and desire to engage in business with EEB.

11. Among other things Derek stated the following:

- EEB uses a platform called Storefunnels, because in more traditional platforms the store owner/client may not own customer information, and data and the store could be shutdown at any time.
- Storefunnels is a platform Peter built out that gives the owner complete control over customer information and provides the owner an opportunity to set up a subscription model.
- Derek described Defendants' Platinum Program. According to Derek the Platinum Program has two main phases. The first phase consists of product research, and niche audience research.
- The second phase is the full buildout which consists of building your landing page, sales page, upsell page, advertisements, and email sequencing. This second phase Derek described as kind of everything that would need to be in place for you to have this business up and launched.
- Derek stated these two phases will put you in a position to launch an ecommerce store in about 30 days.
- The cost of the Platinum Program where Peter and his team does the full buildout, with coaching, and mentoring for six months would be \$15,000. Platinum Program with the ads management, and virtual assistant for six months after the buildout would be \$35,000.
- Derek stated the way the company drives traffic to a client's store is through social media ads, i.e., Facebook, YouTube, TikTok, and Instagram. The client would not have a proprietary product to sell, so the client will utilize a Dropshipping program for products that are already available.
- If the client is not passionate about any products, or has no idea what to sell, EEB have different "software" and AI technologies that are always looking for the types of products that would make sense for their model.
- AI software can also be useful by helping the client "spit out effective sales copy" for their funnels and AI is very useful for upselling products to customers of clients' stores.
- EEB clients generally look for a three-to-one return on ad-spend, which sometimes can be higher or lower, but that was generally what clients were looking for in a "return of investment."

12. On April 17, 2024, at approximately 10:27 AM, I received an email from Derek Wilson (derek@ecommerceempirebuilder.com) in my UC account that further explained how Ecommerce Empire Builders worked and contained the following information and website links: a video of Peter talking about the business model; a video of how Automated Ads works; two examples of working Storefunnels; consumer testimonials from Trustpilot and Ecommerce Empire Builders website. A true and correct copy of this email is attached hereto as **Attachment D**.

Summary of the Undercover Call April 24, 2024

13. On April 23, 2024, I received an email in an UC email account from (derek@ecommerceempirebuilders.com) confirming a phone meeting on April 24, 2024. A true and correct copy of this email is attached hereto as **Attachment E**. On April 24, 2024, at approximately 11:30 AM, I received a call from 208-997-4274. The caller identified himself as Derek from Peter Pru's office. I recorded the call. **Attachment F** is a transcript of the recording.

14. Among other things Derek stated the following:

- The Ecommerce Empire Academy program that is priced between \$997-\$1,997 is considered a template program and is more in a "standard book and tape format" where you go online, you watch a module, ideally understand it, you go and implement it.
- With the \$15K Platinum Program you get lifetime access to the same material as the Ecommerce Empire Academy, and representatives meet up with clients several times a week, answer client questions, with EEB "holding your hand" along the way and doing most of the work for the client.
- The success rate goes up exponentially when you have experts walking you through the process.
- with the Platinum Program EEB will do the following: Identify the client's niche audience, what products will be marketable and profitable, have high manufacturer and consumer reviews, and find items that can be drop shipped.

- Once the research part of the Platinum Program is complete, EEB will build a tailored funnel for the client, and introduce the Advertising Management program.
- Research, scaling, and funnel build is the difference between the \$15K Platinum Program and the \$1,997 Ecommerce Empire Academy.
- The \$1,997, \$15K, and \$35K programs' information are all commingled together. All programs contain the Ecommerce Empire Builders Academy, and the content within the Academy program does not expire.
- With the \$15K and \$35K programs are supported by EEB for six- months, but there are options the client will have after the six-month build and support period to continue EEB same level of support.

15. On April 24, 2024, I received an email from Peter Pru (noreply@mail.hellosign.com) with a document titled- "Ecommerce Platinum Program." The contract party was listed as EMPIRE HOLDINGS GROUP, LLC a Wyoming Limited Liability Company with its principal place of business at 2370 York Rd., Jamison, PA 18929. The contract price was \$35,000. Peter Pru signed the contract as CEO. **Attachment G** is a copy of the contract. I did not sign the contract. The contract contained the following Non-Disparagement Clause.

11. Non-Disparagement. Each Party agrees for itself and all others acting on its behalf, either directly or indirectly: (i) Not to publish, repeat, utter and/or report any statement or observation, nor to take, encourage, induce or voluntarily participate in any conduct or action, that would negatively comment and/or reflect on, disparage, defame, impugn and/or call into question any other Party and/or any other Party's business operations, policies, practices and/or conduct or that of its directors, officers, members, shareholders, agents, employees, and/or affiliates; (ii) Not to act in any way with respect to any other Party's business operations, practices, policies and/or conduct that would impugn and/or damage any other Party's reputation, business relationships or present or future business, or the reputation of any other Party's past or present directors, officers, members, executives, shareholders, agents, employees or affiliates; and (iii) Not to comment about any other Party to any person or entity, including, but not limited to, the press (in any medium or format) or any other Party's customers and/or vendors concerning any Party's business operations, policies or conduct and/or actions. All Parties acknowledge that this provision is a material term of this Agreement, the violation of which shall be deemed a material breach hereunder.

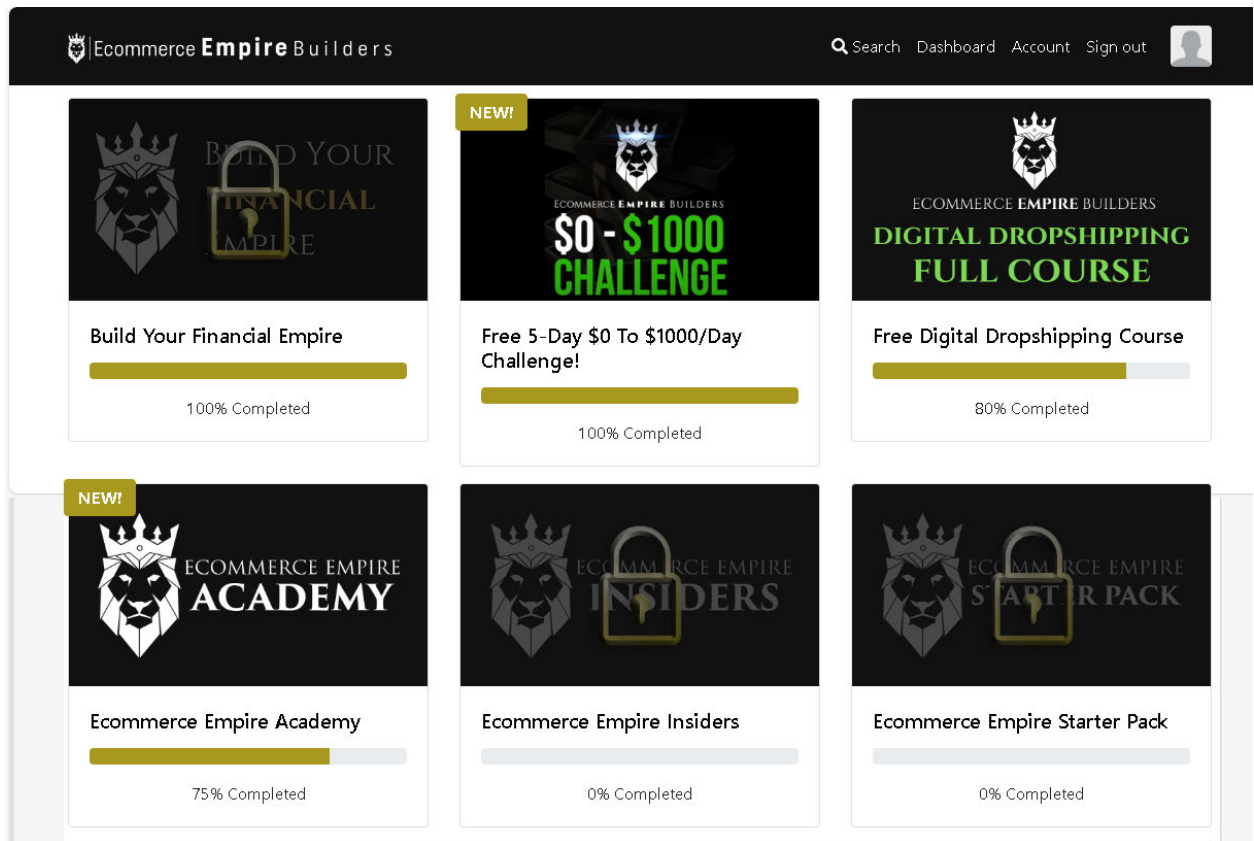
16. There are couple different finance options to pay for Platinum program. Clients have used a low interest credit card to pay for the Platinum program. EEB works with a third-party lender named, EAZE. EAZE can provide financing to clients based on the client's credit score. I received an email in my UC email account from (derek@ecommerceempirebuilders.com) on April 24, 2024, that contained a link to EAZE company home page. A true and correct copy of this email is attached hereto as **Attachment H**.

Summary of UC purchase of Ecommerce Empire Builders Academy

17. On May 2, 2024, a UC purchase of the Ecommerce Empire Builders Academy in the amount \$1,997 was made using an undercover identity. This purchase was made directly on the Ecommerce Empire Builders landing page. I accessed the Ecommerce Empire Builders landing page, (<https://ecommerceempirebuilders.com/joinee?>), by searching for Ecommerce Empire Builders on Google. I received a receipt for this purchase in my UC email account from (peter@ecommerceempirebuilders.com) on May 2, 2024. A true and correct copy of this email is attached hereto as **Attachment I**. Below is a screenshot of the top of the Ecommerce Empire Builders landing page as of May 2, 2024.



18. After purchasing the Ecommerce Empire Academy, EEB provides the client a logon through a member only website: <https://members.ecommerceempirebuilders.com> After the client successfully logs on to the Ecommerce Empire Academy website, the client is presented with six modules containing different learning material. Below is a screenshot of the Ecommerce Empire Builders Academy course curriculum.



19. The Ecommerce Empire Academy requires the client to complete the learning modules in order before moving to the next module. Each module's learning objectives vary in the amount of materials required by the client to complete. The client is required to review and comprehend a voluminous amount of information from the video tutorials. The client will need to become proficient in the following: funnel page building, copyright language, product research, creating ads, Dropshipping, statistics and scaling, and payment methods. At the completion of the Ecommerce Empire Academy, the client is presented with a video titled, "Learn More About Our 'Done For You' Services Suite."
20. The Done For You program also known as the Ecommerce Platinum Program is described to the Ecommerce Empire Academy clients as: "At the Ecommerce Empire Builders we strive to help you build your online Ecommerce Empire in all aspects! Often times it can feel overwhelming with all the tasks needed to complete, run, & scale your online business. With our Done For You Services clients are able to take advantage of the Ecommerce Empire Builders to handle the tasks listed below." Below is a screenshot of the Done For You program.



Learn More About Our 'Done For You' Services Suite



At the Ecommerce Empire Builders we strive to help you build your online Ecommerce Empire in all aspects! Often times it can feel overwhelming with all the tasks needed to complete, run, & scale your online business.

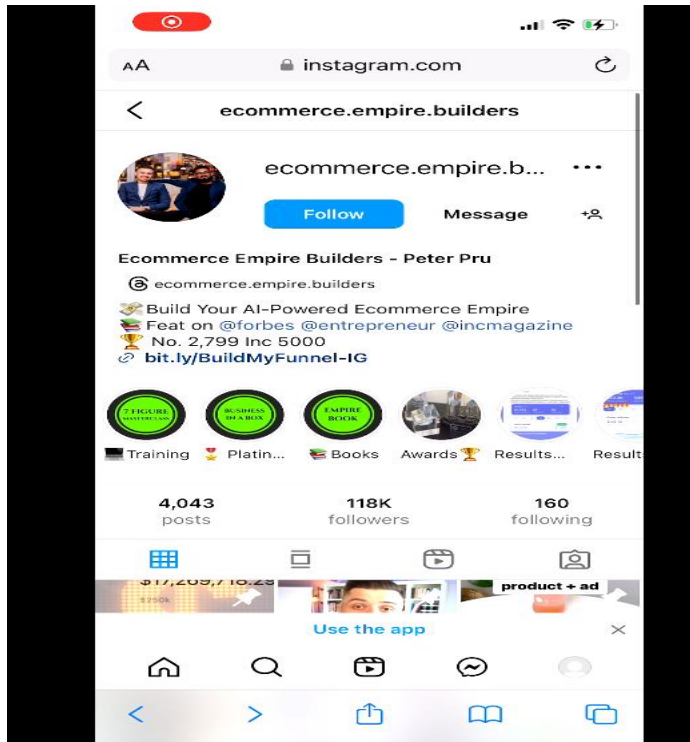
With our Done For You Services you're able to take advantage of the Ecommerce Empire Builders to handle the tasks listed below:

The following services are provided to the client under the “Ecommerce Platinum Program.”

- a) Ecom Cheetah: The team will provide you unlimited winning products, suppliers, image/video ads, offer stack images, & digital products.
- b) Advertising Management: The team will manage & run your Facebook, YouTube & Google ads for you.
- c) Social Media Management: The team will manage & run your social media accounts: Facebook Ad Image Creation, Information Product Creation, Offer Stack Design, Email Sequences, Market Research, and Complete Copywriting Package.

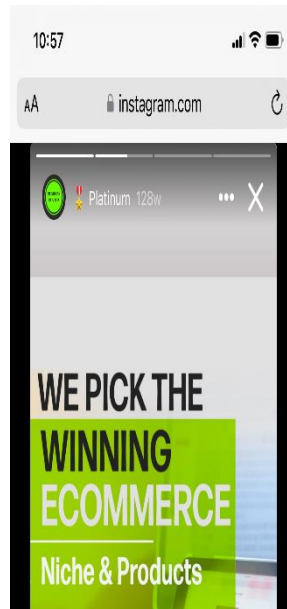
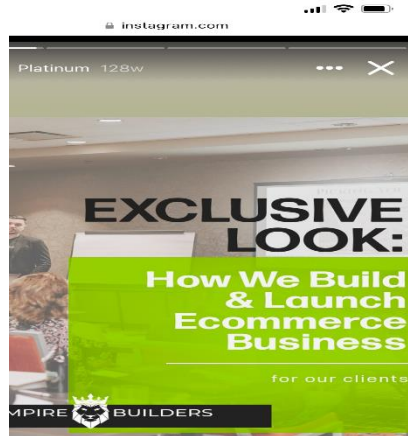
Summary of Social Media Captures

21. EEB advertises to consumers via Youtube, Facebook, Instagram, TikTok, and the internet. The advertisements often direct interested consumers to visit EEB's website or sign-up for a free training video.
22. During the course of my investigation, I made video captures of EEB's Facebook Ad library, Instagram profile, TikTok page and website.
 - On June 5, 2024, I made a video capture of EEB's Instagram profile @Ecommerce.Empire.Builders, which contained 4,043 posts and 118,000 followers. Below is a screenshot of this page as of June 5, 2024



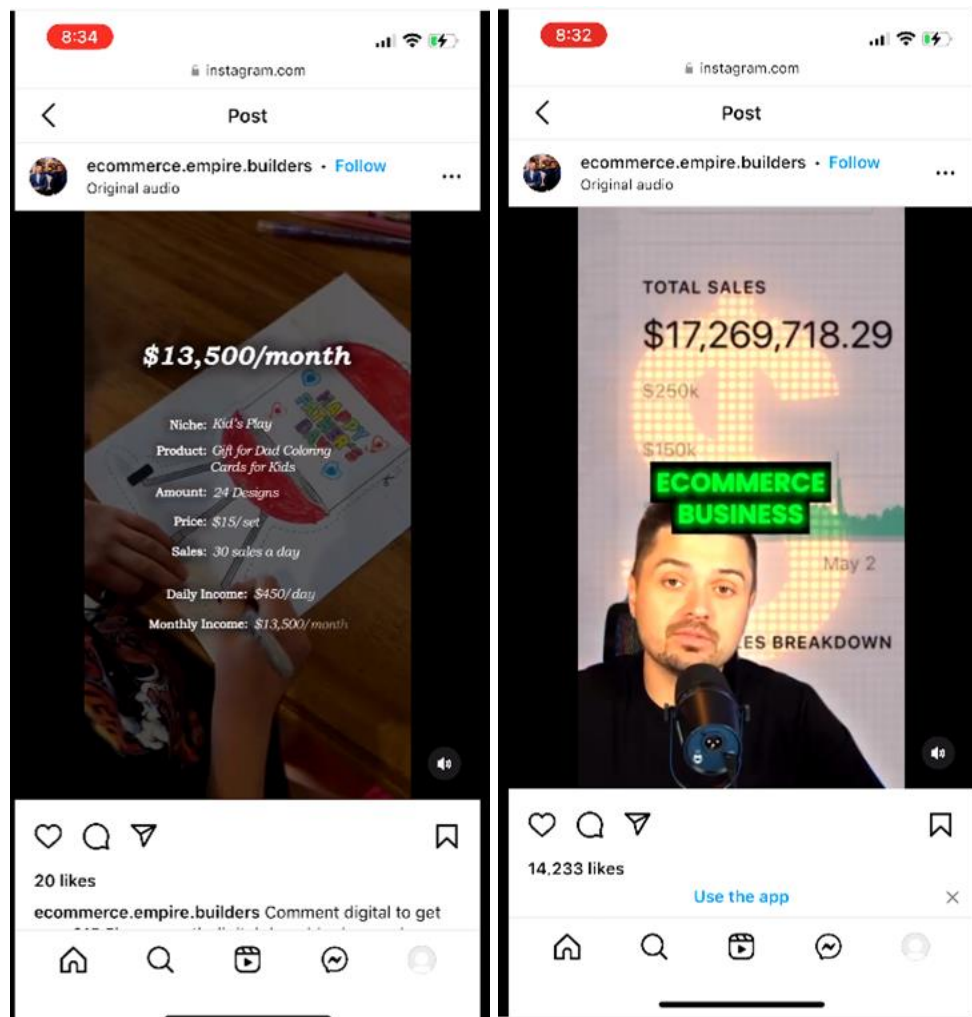
23. The Instagram page contains highlight reels for the Ecommerce Empire Builders Platinum Program, listed as a Business in a Box. The Instagram page details the Business in a Box: as how EEB will build and launch an ecommerce business for EEB clients, EEB picking winning ecommerce niche & products, EEB will build a proprietary ecommerce subscription sales funnel and, EEB will launch the business and start driving traffic to it. The Instagram page also has a hyperlink to EEB's website. This hyperlink brings potential clients to a sign up for EEB to build an AI powered Digital Dropshipping

Empire in 30 days. Below are screenshots of the Instagram page Business in a Box program highlights, and the private invitation link.

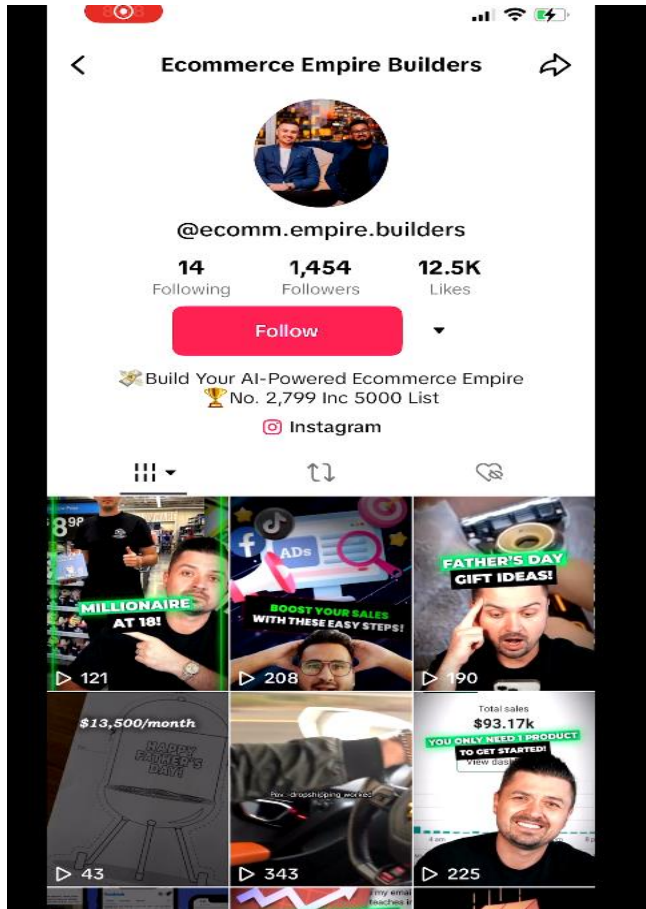


24. EEB's Instagram page featured Prusinowski making numerous earnings claims. For example, Prusinowski stated:

- “This is gonna blow your mind! Let’s go ahead and copy and paste a million-dollar ecommerce business in seven easy steps.”
- “And just like that you’ve got the blueprint for a million-dollar ecommerce business.”
- “I lost a dropshipping business and got it to make \$1,000 dollars a day on its third day. Here’s how.”
- “Do you think starting a million-dollar online business is difficult. Think again.”
- “1,000,000 Online Businesses Are Simple.”
- “With that you’re running a business that not only makes hundreds of thousands annually, but also values over a million.”
- “Comment 100K down below and use my seven-figure funnel template to start selling winning products.”
- Examples of some of EEB’s Instagram posts are seen below.



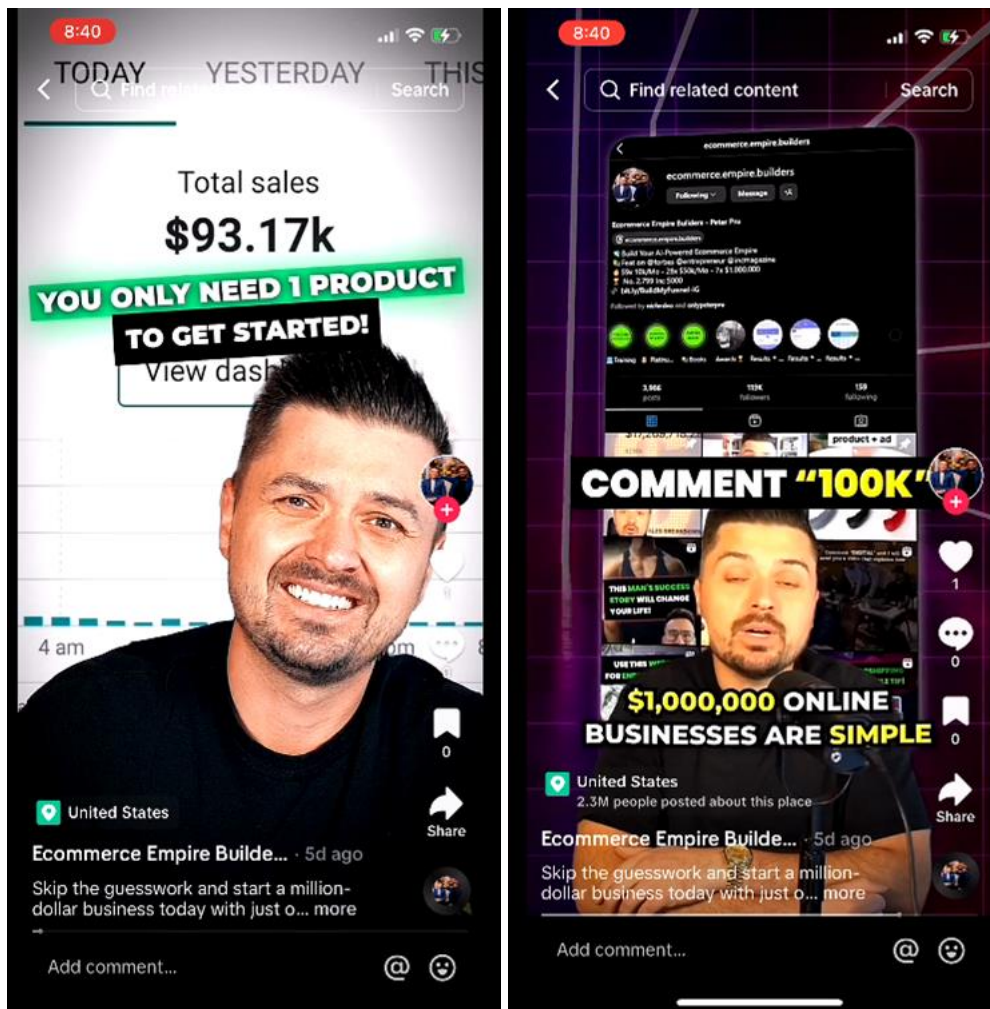
25. On June 5, 2024, I made a video capture of EEB's TikTok @Ecomm.Empire.builders, which contained 1,454 followers and 12,500 likes. The profile's description contains the same "AI-Powered" claim as EEB's Instagram and a link to the Defendant's Instagram profile. Below is a screenshot of this page as of June 5, 2024.



26. EEB's TikTok page featured Prusinowski making numerous earnings claims. For example, Prusinowski stated:

- "You think starting a million dollar is hard? Think again, \$1,000,000 Businesses are simple."
- "Skip the guesswork and start a million dollar business with just one product."

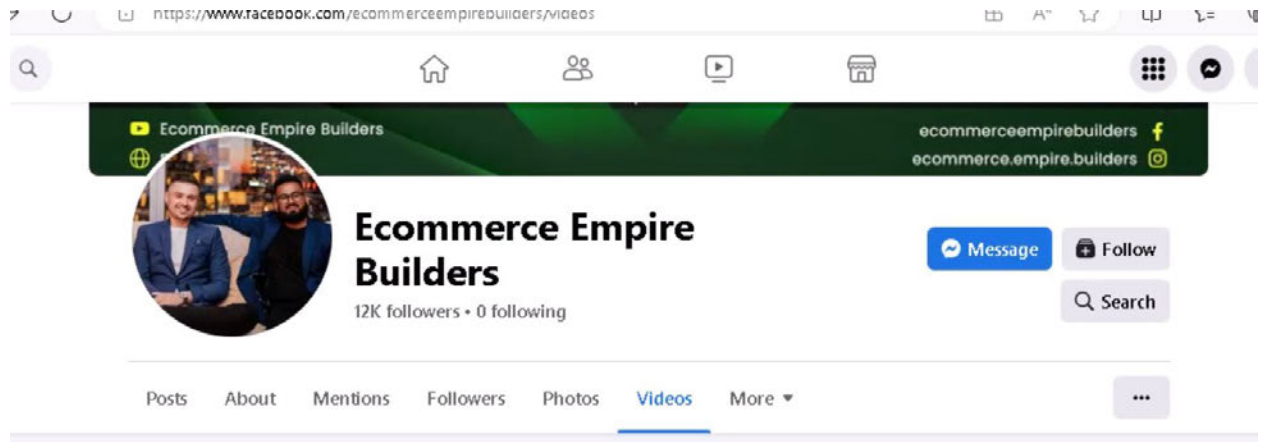
- “50 paid sales a day with paid Facebook Ads with one product, with that you have a business that makes hundreds of thousands annually.”
- “Use my seven-figure sales funnel template to start selling winning products today.”
- Examples of some of EEB’s TikTok post are below.



27. On June 5, 2024, I made a video capture of EEB’s Facebook page

@ecommerceempirebuilders, which contained 12,000 followers. The Facebook page links to the Ecommerce Empire Builders Instagram page, and

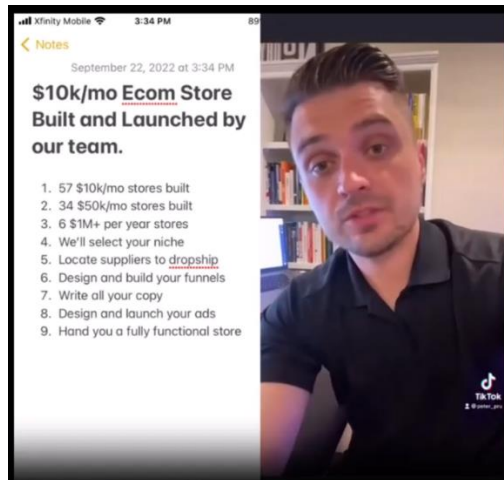
ecommerceempirebuilders.com. Below is a screenshot of this page as of January 29, 2024.



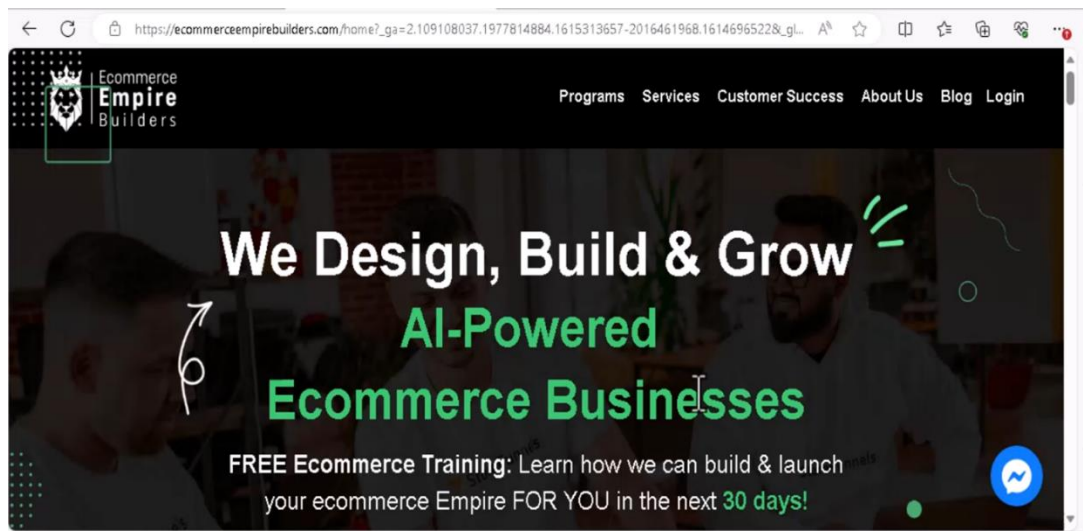
28. On January 24, 2024, I visited the Facebook Ad Library at facebook.com/ads/library/.

The Ad Library contains paid advertisements on Meta’s social media platforms, including Facebook and Instagram. The Ad Library contained approximately 38 ads under the account “Peter Pru.” Below are claims made in Facebook Ads captured on January 25, 2024.

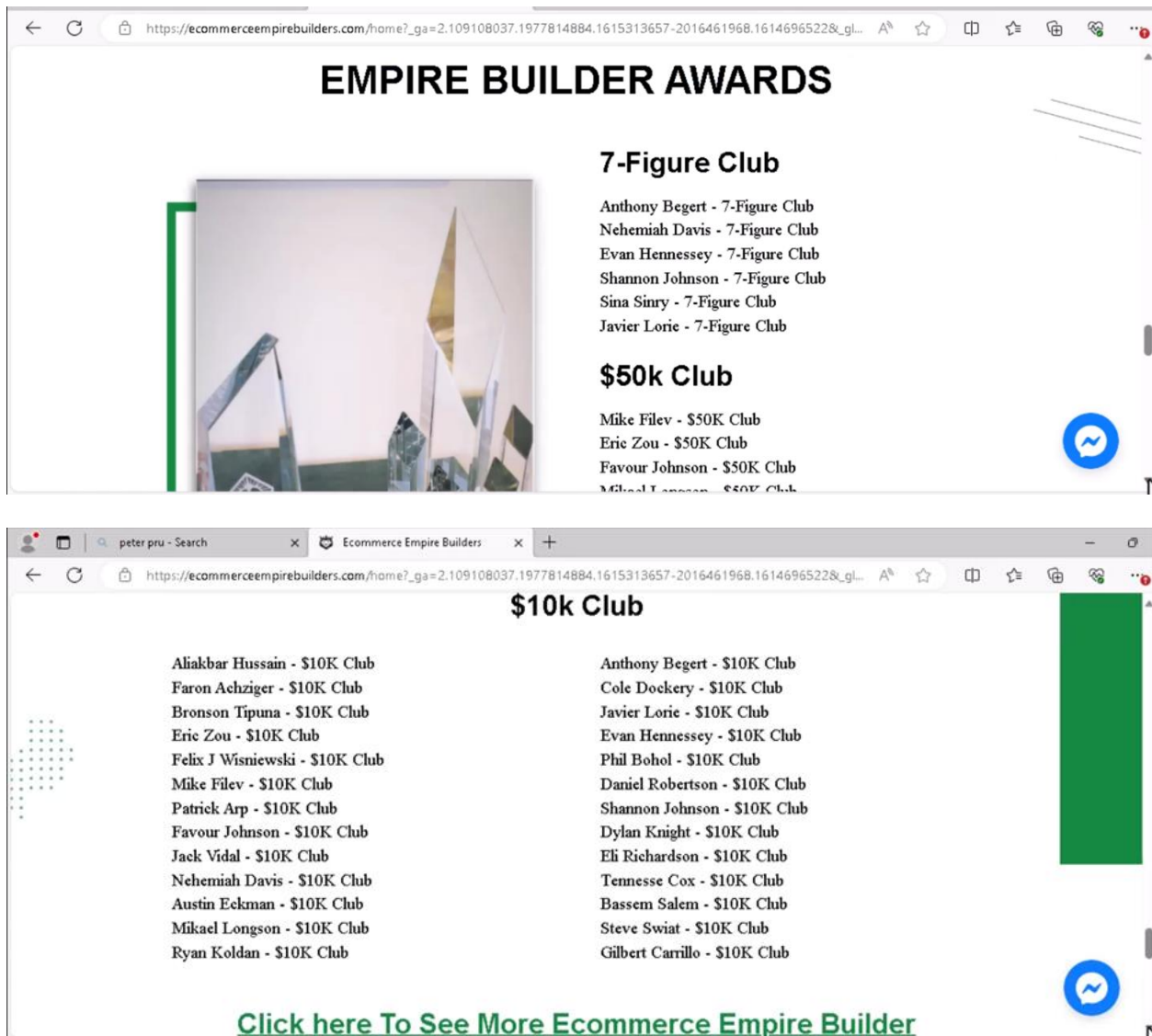
- “Acquire a cash flowing online business built by our team.”
- “57 \$10K/mo stores built, 34 \$50K/mo built, 6 \$1M+ per year stores, using their team of experts, and the power of AI.”
- “You will be getting a secondary income stream that is 90% hands off.”
- “When you purchase your prebuilt store funnel from businesses we have validated, that make \$1,000 a month.”
- “All the niche products you can pick from for your funnel make \$1,000 month.”
- An example of the video capture is below.



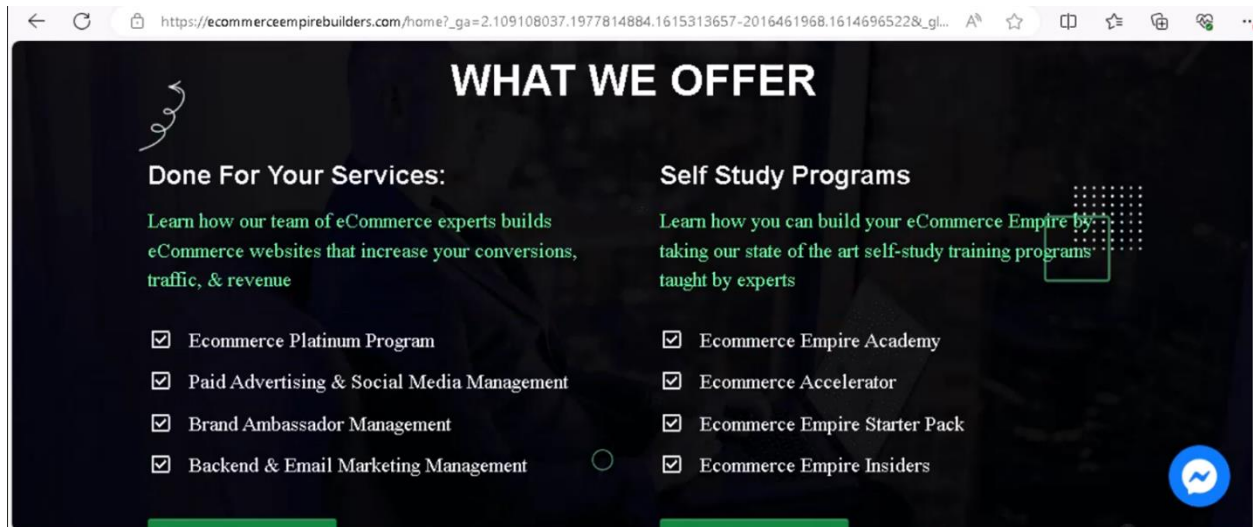
29. On February 1, 2024, I made a video capture of EEB's website, **ecommerceempirebuilders.com**. EEB's website contained different webpages marketing EEB's business opportunities and self-study program. The marketing throughout EEB's website also used earnings claims, testimonials, and claims about EEB's use of artificial intelligence. A screenshot of the top of EEB's homepage is below.



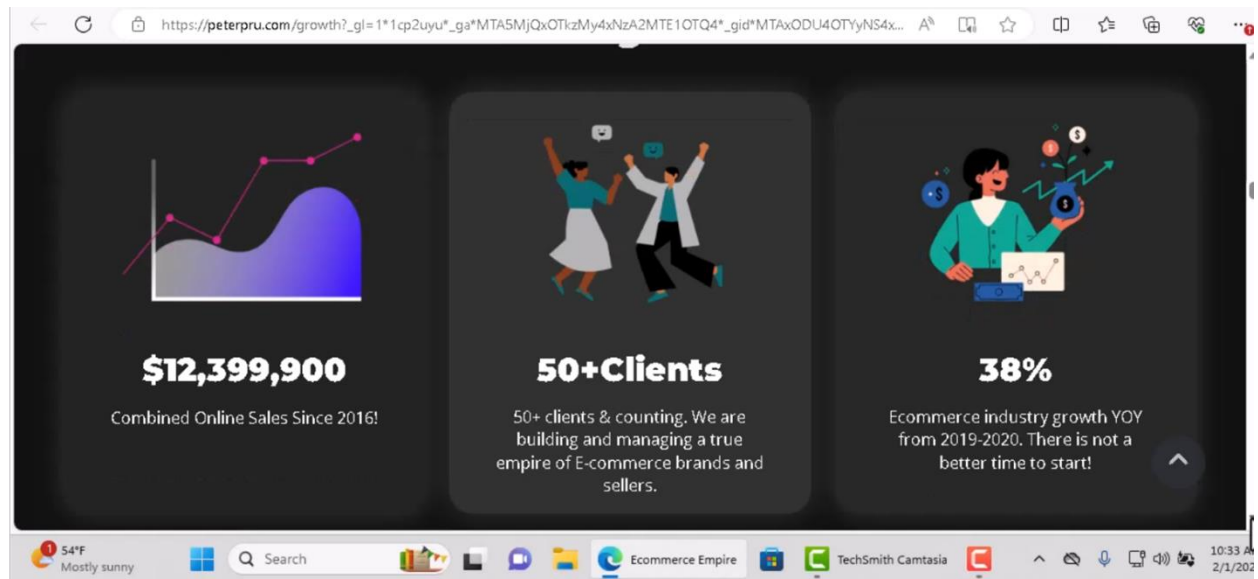
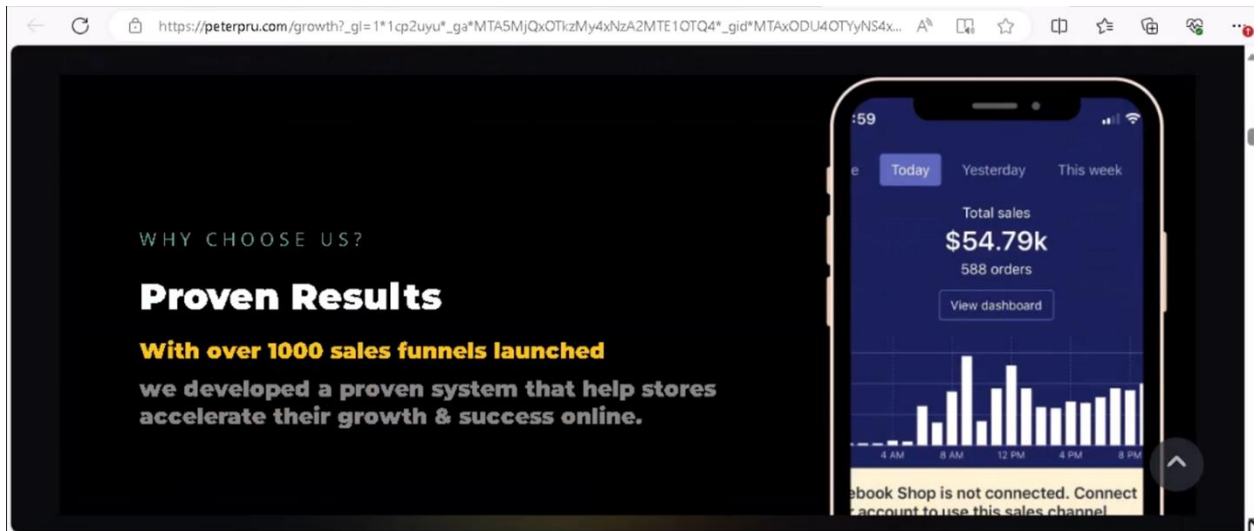
- EEB's homepage also featured lists of alleged trophy winners of EEB's 7-Figure Club, \$50k Club, and \$10k club. Screenshots of the lists are seen below.

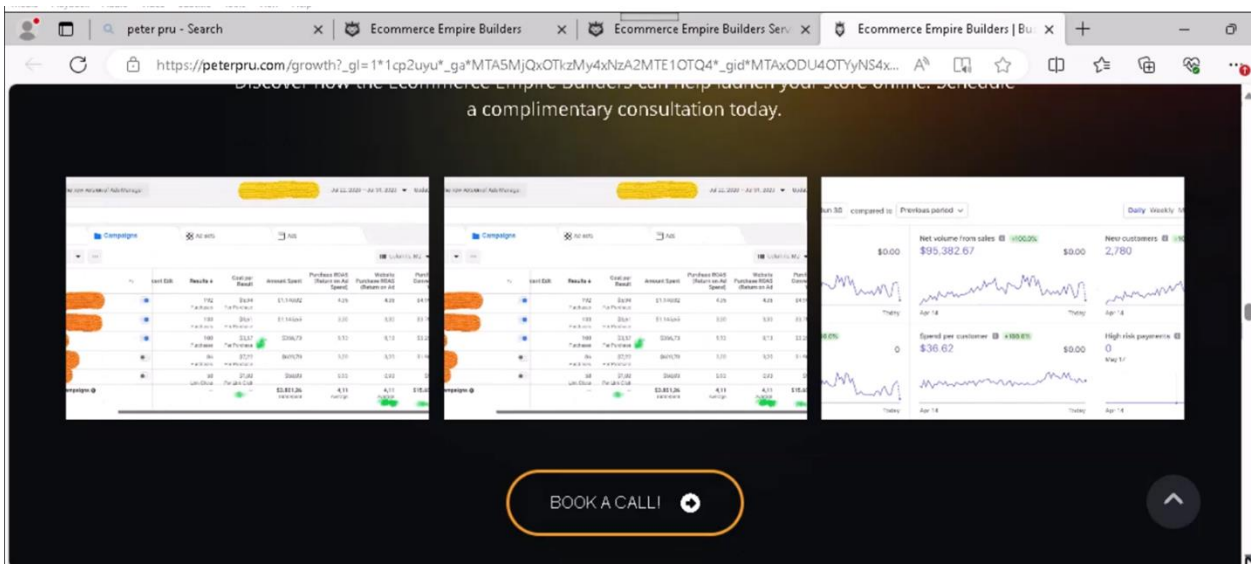
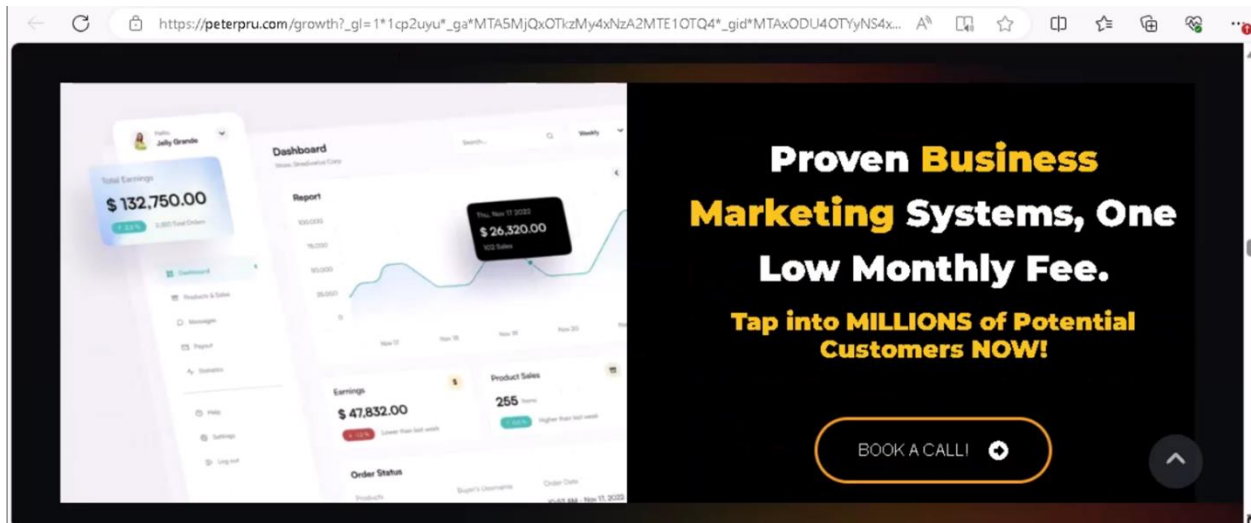


- EEB's homepage also explained to consumers the two different offerings the business had. EEB offers Done For You Services ("business opportunities") and Self Study Programs. The business opportunities include the Ecommerce Platinum Program, and the Self Study Programs include the Ecommerce Empire Academy.



- EEB’s webpage for its business opportunities had multiple hyperlinks to subpages explaining different aspects of the package EEB sells. Many of these subpages contain embedded videos featuring Prusinowski making additional earnings claims. For example, in a video explaining EEB’s advertising management services, Prusinowski claims that EEB has scaled their “own company to the 8-figure level,” and they “have helped multiple people not only start six figure businesses but scaled it into seven figure businesses as well.” Prusinowski continues to explain the four foundations of their program so consumers will understand “how they actually scale from six figures to seven figures, and eight figures and beyond,” leading to “the revenue of your business, but most importantly the profitability of your business absolutely explodes.”
- The same webpage explaining the advertising management services of Defendants’ business opportunities contained earnings claims seen below.





30. After clicking on a hyperlink to apply for EEB's business opportunity I was brought to an application page that also contained testimonial videos labeled as "Success Stories". The titles of these testimonial videos were:

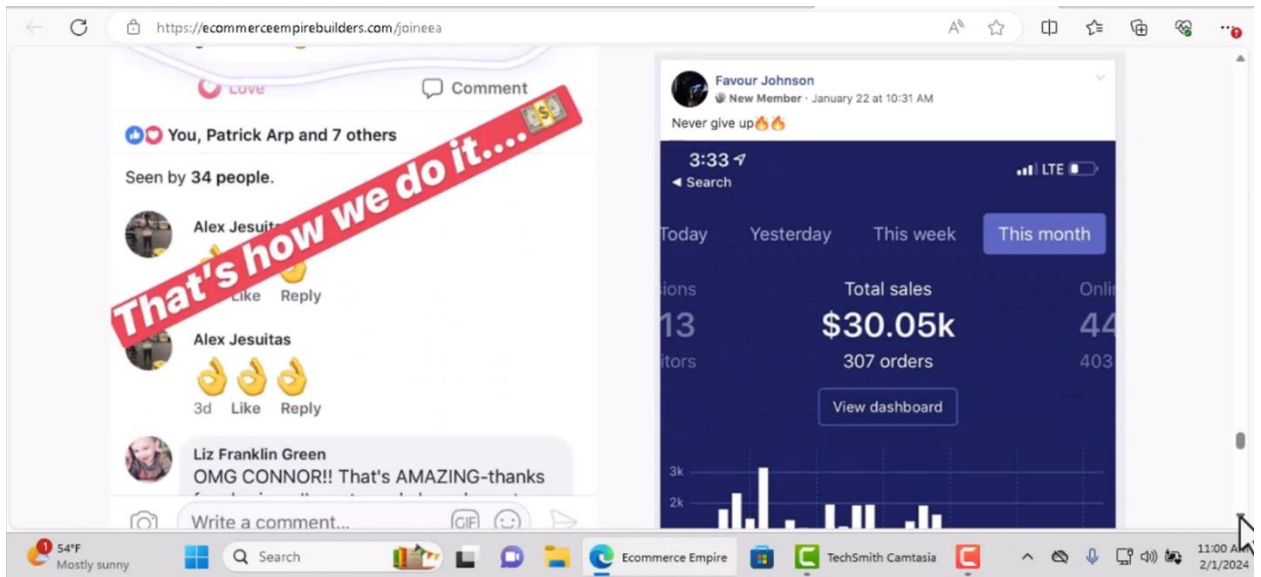
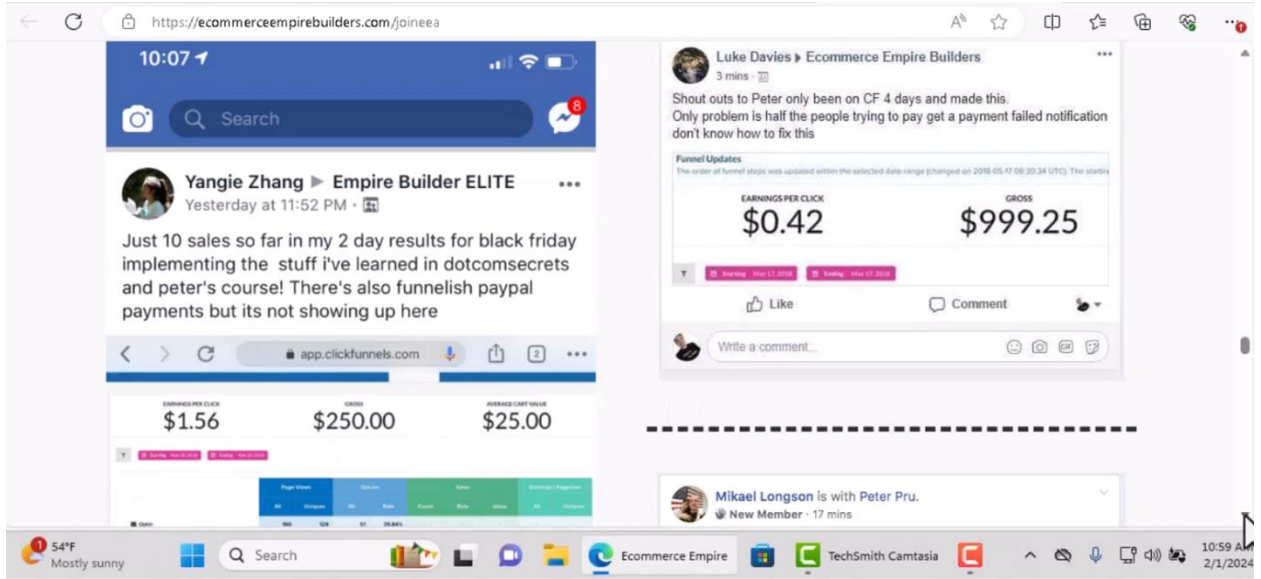
- "Quang Makes \$13,000 Per Month With His DFY Ecommerce Business!"
- "Justin & Lindsay Made \$12,000 In 12 Days With Their DFY Ecommerce Business!"
- "Russ Makes \$10,000 Per Month With His DFY Ecommerce Business!"
- "50k Per Month at 15 Years OLD"
- "Natasha Makes \$5,100 Per Month With Her DFY Ecommerce Business!"

31. EEB's webpage for its Self-Study program also contained numerous earnings claims.

EEB's webpage for its Self-Study program stated:

- “No Matter if it’s an Extra \$1000 a Month OR a 6-Figure Online Income, Ecommerce Empire Academy is YOUR FASTEST Path!” to success.
- “Ecommerce Empire Academy is a **proven**, step-by-step **system** for starting or growing a **successful online business** using the **massive power** of eCommerce Subscription Funnels and getting you on the road to **replacing your full time income** in as little as 30 days.”
- “**Online Entrepreneurs Have Already Created Massive Success With Ecommerce Empire Academy:** For the Ecommerce Empire Academy students who **take action**, follow this course ‘to the letter’, and **WIN** as a result, we award them our Empire Builder trophies for hitting over **\$10,000, \$50,000, and 7 Figures** in their eCommerce businesses!”

32. The webpage for EEB's Self-Study program also featured a similar list of alleged trophy winners, and similar testimonials as described above. Also, the Self-Study page contained numerous screenshots of allegedly successful clients of EEB's. Examples of those screenshots are seen below:



- At the very bottom of EEB's Self-Study page, EEB's website stated the following:

Q15:How does the double your money back guarantee work?

Q16:How do I know I can trust Peter & Ecommerce Empire Builders?

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peter@ecommerceempirebuilders.com

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DISCLAIMER: The sales figures stated above are my personal sales figures. Please understand my results are not typical. I'm using these references for example purposes only. Your results will vary and depend on many factors...including but not limited to your background, experience, and work ethic. All business entails risk as well as massive and consistent effort and action. If you're not willing to accept that, please DO NOT register for this webinar.

On this free training class, you will learn about eCommerce. eCommerce is the act of selling physical products online. The way we make money in eCommerce is finding and selling physical products through our eCommerce sales funnel stores. We then sell our products directly to our end customers.

33. On April 4, 2024, I made a capture of the EEB Landing Page. There was a short disclaimer added to the top of the page. The disclaimer described in paragraph 34 is still present at the bottom of the landing page. Below is a screenshot of the new disclaimer.



All businesses have inherent risk. Results not typical, results may vary. We cannot guarantee these results as they are dependent on client's ability and desire to grow their business.

34. On April 11, 2024, I captured an on-line call booking form on the EEB website. During the course of this capture a short disclaimer was noted on a webpage for EEB's business opportunity. Below is a screenshot of this disclaimer.

Click Here To See Even MORE Ecommerce Platinum Program Success Stories!

All businesses have inherent risk. Results not typical, results may vary. We cannot guarantee these results as they are dependent on client's ability and desire to grow their business.

35. On April 23, 2024, I made a capture of the Storefunnels.net website. Included as a link on the website is a Terms and Conditions page. The Terms and Conditions page is dated

2/22/21. The Terms and Conditions page details an agreement between the consumer and Empire Holdings Group LLC. Below is a screenshot of the Terms and Conditions page.



CONSUMER COMPLAINTS

36. The Federal Trade Commission (“FTC”) maintains a complaint database called Consumer Sentinel (“Sentinel”). Sentinel contains complaints submitted directly by consumers as well as complaints submitted by the Better Business Bureau (“BBB”) and government agencies. As of August 15, 2024, the FTC has received 29 complaints pertaining to EEB. A true and correct copy of the complaints I have reviewed are attached hereto as **Attachment J**. (Personally identifiable information has been redacted).

- During my search and review I found:
 - The earliest complaint was filed in August, 2020 and the most recent in April, 2024.
 - Consumers complained about the following:

- Claims of highly profitable ecommerce business opportunities that did not come to fruition for them.
- Financial loss due to promise of return of investment happening.
- Misleading information provided in EEB conducted webinars.
- Communication and meetings did not match what was promised in pre-recorded videos.
- Support was not sufficient to answer questions with problems encountered.
- Products being sold were low quality and were not easily shipped to consumers.
- Being overcharged for monthly services.
- Providing fake five-star reviews in support of the business in the box program.
- Paying high social media advertising fees.
- Not being able to get promised refunds, and the challenge of getting refunds created financial stress for consumers.

GoDaddy CID Response

37. During my investigation, I examined documents that GoDaddy provided to the FTC pursuant to a Civil Investigative Demand. A true and correct copy of excerpts of this production is attached hereto as **Attachment K**.

- GoDaddy provides website registration. According to GoDaddy, Peter Prusinowski registered the domains listed on GD000002-GD000004.

- One of the domains was ecommerceempirebuilders.com, which was created on October 21, 2019. GD 000002-000060.
- The billing information for ecommerceempirebuilders.com show that Peter Prusinowski paid for the domain with an American Express credit card. GD000567.
- GoDaddy also listed the following under shipping and billing information for the ecommerceempirebuilders.com domain:
 - Peter Prusinowski
 - [REDACTED] Lansdale, PA 19446
 - Daytime Phone: [REDACTED]
 - [REDACTED] GD 000567

38. During my undercover investigation, Ecommerce Empire Builders and its representatives did not provide me any disclosure document in compliance with the FTC's Business Opportunity Rule.

I declare under the penalty of perjury that the foregoing is true and correct.

Executed on September 16, 2024 in Washington, DC.

M. A. Joyner.

Mark A. Joyner